

Nelson & Griffin
TRIAL ATTORNEYS

TIMOTHY FLAHERTY, ESQ. (BBO No. 557477)
FLAHERTY & FLAHERTY
43 Bowdoin St.
Boston, Massachusetts 02114
Telephone: (612) 227-2186
Facsimile: (617) 227-7777

THOMAS J. GRIFFIN, ESQ. (California Bar No. 141694)
NELSON & GRIFFIN
555 West Fifth Street, Suite 320
Los Angeles, California 90013
Telephone: (213) 833-0155
Facsimile: (213) 833-0160

Attorneys for Defendant
COSTELLO'S TAVERN

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS - EASTERN SECTION

CHAPPELL & CO., INC., ET AL.

Plaintiff,

v.

COSTELLO'S TAVERN, INC.

Defendant.

C.A. No. 1:05-CV-10143-NG

**DEFENDANT'S ASSENTED-TO
MOTION FOR LEAVE TO FILE
SUPPLEMENTAL BRIEF IN
OPPOSITION TO PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT**

Defendant, with the assent of the Plaintiff through its counsel, hereby requests that the court consider their Supplemental Brief in Opposition to Plaintiff's Motion for Partial Summary Judgment filed concurrently herewith it. The ground for this request that substantive, if not critical, exhibits to Plaintiff's moving papers were not provided with the original Motion.

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By their attorneys,

NELSON ♦ GRIFFIN

By: /s/ THOMAS J. GRIFFIN
THOMAS J. GRIFFIN, SBN141694
NELSON ♦ GRIFFIN
555 West Fifth Street, Suite 320
Los Angeles, CA 90013
(213) 833-0155

ASSENTED TO BY PLAINTIFF:
By its attorney,

/s/ STEPHEN S. YOUNG
STEPHEN S. YOUNG, BBO538040
10 St. James Avenue
Boston, MA 02116
(617) 523-2700

Dated: December 7, 2005

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CERTIFICATE OF SERVICE

I, Ethel Brown, hereby certify that on this 7th day of December, 2005, I served the following document: **DEFENDANT'S ASSENTED-TO MOTION FOR LEAVE TO FILE SUPPLEMENTAL PAPERS AND OPPOSITION TO PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT** pursuant to Fed.R.Civ.P. 26(a)(1) and Local Rule 26.2(A) on the plaintiffs' counsel by mailing a copy thereof addressed to: Stephen S. Young, Esq., Holland & Knight, LLP, 10 St. James Avenue , Boston, MA 02116.

/s/ ETHEL BROWN
ETHEL BROWN

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